

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE
CAPITAL ONE TELEPHONE
CONSUMER PROTECTION ACT
LITIGATION

Master Docket No. 1:12-cv-10064
MDL No. 2416

This document relates to:

BRIDGETT AMADECK, et al.,

v.

CAPITAL ONE FINANCIAL
CORPORATION, and CAPITAL ONE
BANK (USA), N.A.

Case No: 1:12-cv-10135

This document relates to:

NICHOLAS MARTIN, et al.,

v.

LEADING EDGE RECOVERY
SOLUTIONS, LLC, and CAPITAL ONE
BANK (USA), N.A.

Case No: 1:11-cv-05886

This document relates to:

CHARLES C. PATTERSON,

v.

CAPITAL MANAGEMENT
SERVICES, L.P. and CAPITAL ONE
BANK (USA), N.A.

Case No: 1:12-cv-01061

**DECLARATION OF DANIEL M. HUTCHINSON IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO OBJECTOR JEFFREY T. COLLINS' MOTION TO LIFT STAY**

I, Daniel M. Hutchinson, declare as follows:

1. I am a member of the law firm of Lief Cabraser Heimann & Bernstein, LLP (“LCHB”), counsel of record for Plaintiffs in this matter.¹ I am admitted to this Court’s general bar and am a member in good standing of the bar of the State of California. I respectfully submit this declaration in support of Plaintiffs’ unopposed motion in opposition to objector Jeffrey T. Collins’ motion to lift the discovery stay. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could testify competently to them if called upon to do so.

2. Attached hereto as **Exhibit A** is a true and correct copy of a motion to dismiss appeal filed by new counsel for former objector-clients on Objector Ted Frank in *In re: Deepwater Horizon – Appeals of the Medical Benefits Class Action Settlement*, No. 13-30221, Document No. 00512451347 (5th Cir. Nov. 22, 2013).

3. Attached hereto as **Exhibit B** is a true and correct copy of the brief of Objectors Ted Frank and Kimberley Schratwieser, represented by the Center for Class Action Fairness, in *In re: HP Inkjet Printer Litigation*, Case No. 5:05-cv-03580-JF (N.D. Cal. Dec. 30, 2010)

4. Attached hereto as **Exhibit C** is a true and correct copy of the brief of Objector Michael Krauss, represented by Center for Class Action Fairness, in *In re: Classmates.com Consolidated Litigation*, Case No. C09-00045-RAJ (W.D. Wash. Nov. 18, 2010).

5. Attached hereto as **Exhibit D** is a true and correct copy of the brief of Ted Frank in *In re: Online DVD Rental Antitrust Litigation*, No. 4:09-MD-2029-PJH (N.D. Cal. Feb. 14, 2012).

6. My law firm has years of experience litigated TCPA cases since 2002.

¹ Beth Terrell of Terrell Marshall Daudt & Willie PLLC also serves as Interim Lead Counsel and Keith Keogh of Keogh Law, Ltd. serves as Liaison Class Counsel. Plaintiffs Mack, Amadeck and Kalik, Patterson, and Alarcon are represented by the following firms, respectively: Burke Law Offices, LLC, Williamson & Williams and Terrell Marshall Daudt & Willie PLLC, Keogh Law, Ltd., and Lief Cabraser Heimann & Bernstein, LLP and Meyer Wilson Co., LPA.

7. Attached hereto as **Exhibit E** is a true and correct copy of objector Collins' counsel's objection to the proposed settlement and fee request in *Steinfeld v. Discover Financial Services*, Case No. 3:12-CV-01118-JSW (N.D. Cal.).

8. Attached hereto as **Exhibit F** is a true and correct copy of a February 13, 2014 email from Ted Frank to Jonathan Selbin regarding Frank's mistaken objection in *Steinfeld v. Discover Financial Services*, Case No. 3:12-CV-01118-JSW (N.D. Cal.).

9. Attached hereto as **Exhibit G** is a true and correct copy of the February 13, 2014 stipulation and order withdrawing Collins' counsel's objection in *Steinfeld v. Discover Financial Services*, Case No. 3:12-CV-01118-JSW (N.D. Cal.).

I declare under penalty of perjury of the laws of Illinois and the United States that the foregoing is true and correct, and that this declaration was executed in Chicago, Illinois on October 28, 2014.

/s/ Daniel M. Hutchinson

Daniel M. Hutchinson